

## **Text of Notification of the First Office Action**

1. Claim 1 does not possess the inventiveness as stipulated in Article 22.3 of the Chinese Patent Law (CPL). Claim 1 seeks to protect a method of controlling a laser diode for use in an optical disk player.

Reference 1 relates to a optical disk recording/reproducing apparatus with synchronized data writing, and has disclosed the following technical features (please see column 1, lines 45-68 of the specification of reference 1): the opto-magnetic disk is revolved at a constant angular velocity, reference clocks (corresponding to the data playback clock signal in claim 1) are formed in synchronism with said pits on the basis of the detection output obtained upon detecting said servo pits, the laser diode is driven by pulses at the timing of the reference clocks synchronized with the servo pits in the pit region of the opto-magnetic disk so that the data synchronized for the disk in its entirety may be written in each data region.

Reference 1 differs from claim 1 is in that, reference 1 relates to an optical disk recording/reproducing apparatus wherein an optical disk is used as the recording medium to effect data recording and reproduction (please see column 1, lines 5-10 of reference 1).

It is easy for those skilled in the art, based on the teaching of reference 1, to apply the recording control method as disclosed by reference 1 to the writing control, without doing any inventive works. Moreover, the recording control and the writing control are common knowledge in the art. As a result, it is obvious for those skilled in the art to obtain the technical solution as claimed by claim 1 based on reference 1. The technical solution as claimed by claim 1 neither has prominent substantive feature nor represents notable progress and thus does not possess the inventiveness.

2. Claim 2 does not possess the inventiveness as stipulated in Article 22.3 of the CPL. The continuous operation of the laser diode as mentioned in claim 2 is common knowledge in the art. Moreover, the intermittent operation has been disclosed by reference 1. As the intermittent operation is synchronized with the reference clock, and it is obvious to need a stable signal to be used for the reference sign. For the

same reasons, during the playback, the laser diode is switched from continuous operation to intermittent operation only after the data playback clock signal has stabilized. Since claim 1 does not possess the inventiveness, claim 2 depending on claim 1 also neither has prominent substantive feature nor represents notable progress and thus does not possess the inventiveness.

3. The focus lock signal as mentioned in claim 1 is common knowledge in the art. Since claim 1 and 2 do not possess the inventiveness, claim 2 depending on claim 1 or 2 also neither has prominent substantive feature nor represents notable progress and thus does not possess the inventiveness.

4. Dependent claims 5, 6, which are multiple dependent claims per se, refer to preceding multiple dependent claim, respectively, and thus does not comply with the provisions as stipulated in Rule 23.3 of the CPL.

5. The description of "the driver circuit producing a drive signal for driving the laser diode according to an output signal from the frequency multiplier circuit to cause the laser diode to emit intermittently in synchronism with the data playback clock signal" as defined in claim 8 is not consistent with "the laser diode drive circuit for controlling emission of the laser diode according to the output from the mode-switching circuit" as described in the specification. As a result, claim 8 can not get support from the specification and does not comply with the provisions as stipulated in Article 26.4 of the CPL.

6. The subtitle shall be given at the beginning of each portion of the specification and thus does not comply with the provisions as stipulated in Rule 18.2 of the Implementing Regulations (IR) of the CPL.

7. There are such references to the claims as "as set forth in claim ..." in the specification. The Chinese wordings of "APC", "VDD" and "ILD" in the specification shall be given.

For the above reasons, the present application could not be patented under the present text. The applicant should amend the application documents as directed in this Action within the specified duration, overcome the drawbacks, and submit the

amended text. Otherwise, the present application will be rejected. Please note that the amendments should not go beyond the scope of disclosure contained in the initial specification and claims as set forth in Article 33 of the CPL.

### **Comments of Attorney**

As to item 1, please be advised that the applicant compare the technical solution as claimed by claim 1 to that of reference 1, and present convincing arguments to demonstrate that there exist some substantive differences between them two, and such differences can produce a unpredictable technical effects, the more in detail, the better. Otherwise, the applicant shall amend claim 1 based on reference 1.

As to items 2-4, according to the related requirements of the CPL, if the new submitted independent claims possess the inventiveness, dependent claims, which depend on these independent claims, could still be retained in the claims.

As to item 5, adaptive amendment shall be made.